

[amending this section] shall apply with respect to fiscal years beginning after September 30, 1983.”

AUTHORIZATION OF APPROPRIATIONS

Pub. L. 104-104, title VII, §710(a), (b), Feb. 8, 1996, 110 Stat. 160, which authorized additional appropriations to the Federal Communications Commission, was repealed by Pub. L. 115-141, div. P, title I, §101(c)(1), Mar. 23, 2018, 132 Stat. 1082.

§ 157. New technologies and services

(a) It shall be the policy of the United States to encourage the provision of new technologies and services to the public. Any person or party (other than the Commission) who opposes a new technology or service proposed to be permitted under this chapter shall have the burden to demonstrate that such proposal is inconsistent with the public interest.

(b) The Commission shall determine whether any new technology or service proposed in a petition or application is in the public interest within one year after such petition or application is filed. If the Commission initiates its own proceeding for a new technology or service, such proceeding shall be completed within 12 months after it is initiated.

(June 19, 1934, ch. 652, title I, §7, as added Pub. L. 98-214, §12, Dec. 8, 1983, 97 Stat. 1471; amended Pub. L. 103-414, title III, §304(a)(1), Oct. 25, 1994, 108 Stat. 4296.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning act June 19, 1934, ch. 652, 48 Stat. 1064, known as the Communications Act of 1934, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-414 struck out “or twelve months after December 8, 1983, if later” after “petition or application is filed” and after “12 months after it is initiated”.

Statutory Notes and Related Subsidiaries

ADVANCED TELECOMMUNICATIONS INCENTIVES

Pub. L. 104-104, title VII, §706, Feb. 8, 1996, 110 Stat. 153, as amended by Pub. L. 107-110, title X, §1076(gg), Jan. 8, 2002, 115 Stat. 2093; Pub. L. 110-385, title I, §103(a), Oct. 10, 2008, 122 Stat. 4096, was transferred and is classified to section 1302 of this title.

§ 158. Application fees

(a) General authority; establishment of schedule

The Commission shall assess and collect application fees at such rates as the Commission shall establish in a schedule of application fees to recover the costs of the Commission to process applications.

(b) Adjustment of schedule

(1) In general

In every even-numbered year, the Commission shall review the schedule of application fees established under this section and, except as provided in paragraph (2), set a new amount for each fee in the schedule that is equal to

the amount of the fee on the date when the fee was established or the date when the fee was last amended under subsection (c), whichever is later—

(A) increased or decreased by the percentage change in the Consumer Price Index during the period beginning on such date and ending on the date of the review; and

(B) rounded to the nearest \$5 increment.

(2) Threshold for adjustment

The Commission may not adjust a fee under paragraph (1) if—

(A) in the case of a fee the current amount of which is less than \$200, the adjustment would result in a change in the current amount of less than \$10; or

(B) in the case of a fee the current amount of which is \$200 or more, the adjustment would result in a change in the current amount of less than 5 percent.

(3) Current amount defined

In paragraph (2), the term “current amount” means, with respect to a fee, the amount of the fee on the date when the fee was established, the date when the fee was last adjusted under paragraph (1), or the date when the fee was last amended under subsection (c), whichever is latest.

(c) Amendments to schedule

In addition to the adjustments required by subsection (b), the Commission shall by rule amend the schedule of application fees established under this section if the Commission determines that the schedule requires amendment—

(1) so that such fees reflect increases or decreases in the costs of processing applications at the Commission; or

(2) so that such schedule reflects the consolidation or addition of new categories of applications.

(d) Exceptions

(1) Parties to which fees are not applicable

The application fees established under this section shall not be applicable to—

(A) a governmental entity;

(B) a nonprofit entity licensed in the Local Government, Police, Fire, Highway Maintenance, Forestry-Conservation, Public Safety, or Special Emergency Radio radio services; or

(C) a noncommercial radio station or noncommercial television station.

(2) Cost of collection

If, in the judgment of the Commission, the cost of collecting an application fee established under this section would exceed the amount collected, the Commission may by rule eliminate such fee.

(e) Deposit of collections

Moneys received from application fees established under this section shall be deposited in the general fund of the Treasury.

(June 19, 1934, ch. 652, title I, §8, as added Pub. L. 99-272, title V, §5002(e), Apr. 7, 1986, 100 Stat. 118; amended Pub. L. 100-594, §5, Nov. 3, 1988, 102